

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

JERRY J. LOSH,

Plaintiff,

v.

CIVIL ACTION NO. 2:08-cv-01046

ACTAVIS TOTOWA, LLC., et al.,

Defendants.


DISMISSAL ORDER

Pending before the court is the plaintiff's Revised Notice of Dismissal [Docket 30] and defendants' Response to my July 9, 2009, Order, in which defendants attempt to clarify the status of this action and the terms governing dismissal [Docket 31].

The parties request I enter the plaintiff's Revised Notice of Dismissal. I have reviewed the Revised Notice of Dismissal and the defendants' Response. They satisfactorily address the concerns expressed in my July 9, 2009, order. Accordingly, I **ORDER** that this civil action be dismissed without prejudice and stricken from the docket.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: July 14, 2009


Joseph R. Goodwin, Chief Judge